

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 5:11-CV-19-RLV-DCK**

FREDERICK L. BLUE,

Plaintiff,

v.

**APPALACHIAN STATE UNIVERSITY
and CALDWELL COMMUNITY COLLEGE,**

Defendant.

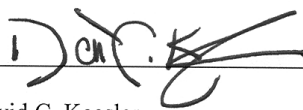
ORDER

THIS MATTER IS BEFORE THE COURT *sua sponte* regarding the filing of Defendant Caldwell Community College's "Motion To Dismiss Pursuant to Rule 12(b)(1) And Rule 12(b)(6)" (Document No. 9), and Defendant Appalachian State University's "Motion To Dismiss" (Document No. 12). Plaintiff has failed to file responses to these motions, and the time to do so has lapsed.

In accordance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Court advises Plaintiff, who is proceeding *pro se*, that he has a right to respond to Defendants' motions. The Court also advises Plaintiff that failure to respond may result in Defendants being granted the relief they seek, that is, the dismissal of the Complaint.

IT IS THEREFORE ORDERED that Plaintiff may respond to the pending "Motions To Dismiss" (Document Nos. 9 & 12) on or before **June 24, 2011**. Failure to file timely and persuasive responses may lead to the dismissal of this lawsuit.

Signed: June 2, 2011



David C. Keesler
United States Magistrate Judge

